

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

ROBERT O. BALL,
Plaintiff,

v.

KARALEE SIMMERMAN,
Defendant.

O R D E R

Civil No. 05-763-ST

HAGGERTY, Chief Judge:

Magistrate Judge Stewart referred to this court a Findings and Recommendation in this action (doc. # 4). The Findings and Recommendation recommends that plaintiff's Complaint should be dismissed for lack of subject matter and personal jurisdiction without service of process.

The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). When no timely objection is filed, the court need only satisfy itself that there is no clear

error on the face of the record in order to accept the recommendation of the Magistrate. *Campbell v. United States District Court*, 501 F.2d 196 (9th Cir. 1974).

No clear error appears on the face of the record. I adopt the Magistrate Judge's Findings and Recommendation (doc. # 4). Plaintiff's application to proceed in forma pauperis (doc. # 1) is granted, but the Complaint (doc. # 2) is dismissed with prejudice for lack of subject matter and personal jurisdiction and without service of process.

IT IS SO ORDERED.

Dated this 22 day of July, 2005.

/s/Ancer L.Haggerty

Ancer L. Haggerty
United States District Judge